

## PATENT COOPERATION TREATY

## PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY  
(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

REC'D 07 JUN 2004

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Applicant's or agent's file reference BP106210/MB	FOR FURTHER ACTION See Form PCT/IPEA/416	
International application No. PCT/FI 2003/000243	International filing date (day/month/year) 28-03-2003	Priority date (day/month/year) 28-03-2002
International Patent Classification (IPC) or national classification and IPC H04M1/02		
Applicant NOKIA CORPORATION ET AL		

- This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.
- This REPORT consists of a total of 6 sheets, including this cover sheet.
- This report is also accompanied by ANNEXES, comprising:
  - ☐ (sent to the applicant and to the International Bureau) a total of \_\_\_\_\_ sheets, as follows:
    - ☐ sheets of the description, claims and/or drawings which have been amended and are the basis of this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).
    - ☐ sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.
  - ☐ (sent to the International Bureau only) a total of (indicate type and number of electronic carrier(s)) \_\_\_\_\_, containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).

- This report contains indications relating to the following items:

- |                                     |              |   |
|-------------------------------------|--------------|---|
| <input checked="" type="checkbox"/> | Box No. I    | Basis of the report   |
| <input checked="" type="checkbox"/> | Box No. II   | Priority  |
| <input type="checkbox"/>            | Box No. III  | Non-establishment of opinion with regard to novelty, inventive step and industrial applicability  |
| <input type="checkbox"/>            | Box No. IV   | Lack of unity of invention  |
| <input checked="" type="checkbox"/> | Box No. V    | Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement |
| <input checked="" type="checkbox"/> | Box No. VI   | Certain documents cited   |
| <input type="checkbox"/>            | Box No. VII  | Certain defects in the international application  |
| <input type="checkbox"/>            | Box No. VIII | Certain observations on the international application   |

Date of submission of the demand  17-09-2003	Date of completion of this report  18-05-2004
Name and mailing address of the IPEA/SE Patent- och registreringsverket Box 5055 S-102 42 STOCKHOLM Facsimile No. +46 8 667 72 88	Authorized officer  Roland Landström /itw Telephone No. +46 8 782 25 00

# INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

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## Box No. I Basis of the report

1. With regard to the language, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.

- ☐ This report is based on a translation from the original language into the following language \_\_\_\_\_, which is the language of a translation furnished for the purposes of:
- ☐ international search (under Rules 12.3 and 23.1(b))
  - ☐ publication of the international application (under Rule 12.4)
  - ☐ international preliminary examination (under Rules 55.2 and/or 55.3)

2. With regard to the elements of the international application, this report is based on *(replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report)*:

- ☒ the international application as originally filed/furnished

- ☐ the description:

pages \_\_\_\_\_ as originally filed/furnished  
 pages\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_  
 pages\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_

- ☐ the claims:

pages \_\_\_\_\_ as originally filed/furnished  
 pages\* \_\_\_\_\_ as amended (together with any statement) under Article 19  
 pages\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_  
 pages\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_

- ☐ the drawings:

pages \_\_\_\_\_ as originally filed/furnished  
 pages\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_  
 pages\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_

- ☐ a sequence listing and/or any related table(s) – see Supplemental Box Relating to Sequence Listing.

3. ☐ The amendments have resulted in the cancellation of:

- ☐ the description, pages \_\_\_\_\_
- ☐ the claims, Nos. \_\_\_\_\_
- ☐ the drawings, sheets/figs \_\_\_\_\_
- ☐ the sequence listing (*specify*): \_\_\_\_\_
- ☐ any table(s) related to the sequence listing (*specify*): \_\_\_\_\_

4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).

- ☐ the description, pages \_\_\_\_\_
- ☐ the claims, Nos. \_\_\_\_\_
- ☐ the drawings, sheets/figs \_\_\_\_\_
- ☐ the sequence listing (*specify*): \_\_\_\_\_
- ☐ any table(s) related to the sequence listing (*specify*): \_\_\_\_\_

\* If item 4 applies, some or all of those sheets may be marked "superseded."

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Box No. II Priority

1. ☐ This report has been established as if no priority had been claimed due to the failure to furnish within the prescribed time limit the requested:  

☐ copy of the earlier application whose priority has been claimed (Rule 66.7(a)).  
☐ translation of the earlier application whose priority has been claimed (Rule 66.7(b)).
2. ☐ This report has been established as if no priority had been claimed due to the fact that the priority claim has been found invalid (Rule 64.1). Thus for the purposes of this report, the international filing date indicated above is considered to be the relevant date.
3. Additional observations, if necessary:

The priority is considered valid, hence document EP 1271903 A1 is of no relevance for this report.

# INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

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**Box No. V** Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

## 1. Statement

Novelty (N)	Claims	<u>1 - 22</u>	YES
	Claims	_____	NO
Inventive step (IS)	Claims	_____	YES
	Claims	<u>1 - 22</u>	NO
Industrial applicability (IA)	Claims	<u>1 - 22</u>	YES
	Claims	_____	NO

## 2. Citations and explanations (Rule 70.7)

The following documents were cited in the corrected International Search Report:

A: WO 00 65 803 A1  
 B: US 5 880 732 A  
 C: US 6 233 002 B1  
 D: DE 100 32 377 A1  
 E: DE 199 08 256 A1  
 F: WO 99 13629 A1

Document A (page 1, lines 8 - 16, page 2, line 16 - page 3, line 21, page 6, lines 28 - 30, page 7, line 5 - page 7, line 19, page 10, lines 16 - 22, figure 1, claims 1, 3, 7 - 10, 15, abstract) discloses a mobile telephone (3) communicating wirelessly (IR or Bluetooth) with a separate device (1) comprising a control unit (10) having a display (13), a microphone (16), keys (14, 15), a cable (12) and loudspeakers (11). The loudspeaker (11) is put in the ear of the user, whereby the cable (12) has such a length that the control unit (10) is located below the face of the user (page 7, lines 13 - 16). By lifting the control unit (10), the user can view the information via the display (13) (page 7, lines 16 - 19). The mobile telephone (3) has a keyboard (page 2, lines 1 - 6). According to page 10, lines 16 - 22, more than one device (1) can be arranged to control the same telephone (3). The device (1) according to figure 4 and page 9, line 26 - page 10, line 10 has a display (13) that can be slightly larger than in the first embodiments (figures 2 - 3).

.../...

**Supplemental Box**

In case the space in any of the preceding boxes is not sufficient.

Continuation of: Box V

The invention claimed in claims 1, 6, 13 and 17 differs from what is known from document A essentially in that the control unit is (named) an amulet, and that the amulet is worn on the torso of the user.

The technical problem is where to wear the control unit (10).

Choosing the length of the cable (12) such that the control unit (10) is worn on the torso of the user would be an obvious choice to a person skilled in the art, especially considering no unexpected technical effect is obtained. Therefore, the invention claimed in claims 1, 6, 13 and 17 lacks an inventive step.

The invention claimed in claim 12 differs from what is known from document A essentially in that the telephone has a further separate larger display (which according to the description on page 12, lines 10 - 14 advantageously is equipped with support for keeping it on a tabletop) and a short distance communication link between the telephone, the control unit (amulet) and the larger display.

It would be obvious to use the display and link of document B (below) in the telephone of document A, especially considering the documents belong to the same technical field and no unexpected technical effect is obtained. Thereby a device having all the essential features of claim 12 is obtained. Therefore, the invention claimed in claim 12 lacks an inventive step.

Document B (column 1, lines 39 - 54, figure 1, claims 1, 5 - 7, 9, abstract) discloses a mobile telephone (10) communicating wirelessly (IR or RF) with a separate display (15). The purpose is to provide a larger display size.

The invention claimed in claims 2 - 5, 7 - 11, 14 - 16 and 18 - 22 lacks an inventive step considering the features of claims 2 - 5, 7 - 11, 14 - 16 and 18 - 22 are obvious to a person skilled in the art, especially for the following reasons:

It is well known to hang similar parts, such as earphones ("handsfree"-devices) etc. or mobile telephones with a string loop around the neck of a user, see document F (claims 12 and 21, figure 4).

.../...

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**Supplemental Box**

In case the space in any of the preceding boxes is not sufficient.

Continuation of: Box V

It is well known to combine a mobile telephone with a broadcast radio receiver. According to document A (page 6, lines 8 - 11), the device (1) can be used to listen to music.

Documents D (column 1, line 1 - column 2, line 18, claims 1 - 5) and E (column 1, lines 24 - 64, claims 1 - 5, 13) disclose jewellery etc. including a necklace, a memory and a display that shows graphical information. According to document D (claim 5), a ring signal can be displayed.

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## Box No. VI Certain documents cited

### 1. Certain published documents (Rule 70.10)

Application No. Patent No.	Publication date (day/month/year)	Filing date (day/month/year)	Priority date (valid claim) (day/month/year)
EP 1 271 903 A1 P	02-01-2003	19-06-2001	

### 2. Non-written disclosures (Rule 70.9)

Kind of non-written disclosure	Date of non-written disclosure (day/month/year)	Date of written disclosure referring to non-written disclosure (day/month/year)